

## THE EDICT OF CYRUS IN EZRA 1\*

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INTO the enchanted palace of Orientalism, which changes daily by the magic of new discoveries, a classicist enters with reluctance — and at own peril. The present writer, however, was led by his investigations of the formulae of Greek and Roman state acts to examine the Persian document in Ezra 1.

### I

There are in Ezra two ordinances of Cyrus concerning the Return from the Captivity: one in Hebrew (Ezra 1 2-4), the other in Aramaic (Ezra 6 3-5). Some scholars regard both instruments as two versions of the same royal edict; but, since a comparison of the two texts discloses very great differences, they conclude that one at least of the two ordinances cannot

\* Sincere thanks are due to Professors H. L. Ginsberg and Saul Lieberman for very helpful criticisms and suggestions; the mistakes that remain are mine. The latest statement of the problem is given by R. H. Pfeiffer (*Introduction to the Old Testament* [1941], p. 720) who refers to the literature on the subject. In this paper the commentaries on the Bible, particularly on the Book of Ezra, are generally referred to by the name of the author alone. Other abbreviations: Breasted = J. H. Breasted, *Ancient Records of Egypt*; Cowley = A. E. Cowley, *Aramaic Papyri* (1923); Labat = R. Labat, *Le Caractère religieux de la royauté assyro-babylonienne* (1939); Luckenbill = D. D. Luckenbill, *Ancient Records of Assyria*; Posener = G. Posener, *La première domination perse en Égypte* (1935); Rogers = R. W. Rogers, *Cuneiform Parallels to the Old Testament* (1912); Smith = Sidney Smith, *Isaiah Chapters XL-LV* (1944); Torrey = C. C. Torrey, *Ezra Studies* (1910); Waterman = L. Waterman, *Royal Correspondence*. I owe particular obligations to the works of Labat and Smith quoted above.

be authentic.<sup>1</sup> Critics who accept as genuine the Aramaic transcripts of the Persian records in Ezra, except the Hebrew Edict of Cyrus,<sup>2</sup> which has few defenders; and, following Torrey, some regard the Aramaic instrument as unreliable.<sup>3</sup> As a matter of fact, this deductive reasoning is deceiving because it is based on a fallacy of presumption. An examination of the formulae of both documents show that they are not two variants of the same record but two independent records concerning the same case.

Let us quote first the Aramaic document (6 3-8). It runs as follows:<sup>4</sup> "Memorandum. In the first year of Cyrus the king. Cyrus the king set down<sup>5</sup> an order concerning the house of God in Jerusalem. Let the house be built. . . . also the vessels of the house of God . . . . let them restore . . . . and thou shalt put them in the house of God."

This is an order in the form of an impersonal enactment. Such a minute recorded a single decision, given orally at a cabinet meeting or pursuant to a report presented for consideration. Accordingly, the record was put down on a separate piece of writing material and being a separate piece in the file had its own heading. The Greek name for such a draft is *hypomnematismos*, the Aramaic term for it was the word of the same meaning, *dīcrōnā* (דכרונא, Ezra 6 2), that is "Memorandum."<sup>6</sup> These *Memoranda* are mentioned as initiating administrative action in the

<sup>1</sup> For this reasoning see, e.g., Batten, *ad* Ezra 1 4; A. Lods, *The Prophets and the Rise of Judaism* (1937), 185; R. Kittel, *Geschichte des Volkes Israel* III, 2 (1929), 318; K. Galling, *Syrien in der Politik der Achaemeniden bis 448 v. Chr.* (AO XXXVI, 3-4; 1937), 31.

<sup>2</sup> See, e.g., R. de Vaux, *RB* 1937, 41; H. H. Schaefer, *Esra der Schreiber* (1930), 29; E. Sellin, *Einleitung in das Alte Testament* (1929), 157; O. Eissfeldt, *Einleitung in das Alte Testament* (1934), 375, etc., and the authors quoted n. 1.

<sup>3</sup> Batten, *l.c.*

<sup>4</sup> For the interpretation of the text cf. K. Galling, *OLZ* 1937, 473; S. Smith, *PEQ*, 1941, 5, and, particularly, R. de Vaux, *RB*, 1937, 35.

<sup>5</sup> The technical expression שִׁים טַעַם (*šm te'ēm*) is used likewise in the Elephantine papyri and in the day-book of the Persian arsenal at Memphis (quoted below, n. 7).

<sup>6</sup> *Aegyptus* 1933, 353.

day-book of the Persian Arsenal at Memphis, from 484 B.C.<sup>7</sup> A specimen of that instrument has been preserved among the Aramaic papyri unearthed at Elephantine;<sup>8</sup> an Elamite cuneiform text from the Persian treasury at Persepolis<sup>9</sup> belongs, too, to the same class of documents. Such "memos" could be written on any material. Clay tablets were, then, arranged in "file cabinets" chronologically or according to the matter,<sup>10</sup> while "memos" on papyrus were glued together into a volume.

Cyrus' Memorandum (Ezra 6:3) belongs to the same class of official records. Materially it is an instruction for the royal treasury concerning the expenses for building anew the Temple in Jerusalem.<sup>11</sup> Formally it is a *dicrônâ*, as its opening word says, written in the third person, although in the last sentence the treasurer is addressed directly.<sup>12</sup> Destinated for the bureaux, the mandate was, of course, not made public. Twenty years later, in 520 B.C., the Jewish authorities in Jerusalem did not have a copy of the document and could only vaguely presume that the original may be found "in the royal treasuries" in Babylon" (Ezra 5:17).<sup>13</sup> But the document was stored at Ecbatana, where Cyrus stayed in the summer of his first year (538 B.C.).<sup>14</sup>

Let us now return to the Hebrew instrument transcribed in Ezra 1. Introducing the quotation, the Chronicler says that Cyrus "let a voice be raised through all his kingdom . . . announc-

<sup>7</sup> The last edition is by R. A. Bowman (*AJSL* 1941, 302).

<sup>8</sup> Cowley, no. 32.

<sup>9</sup> J. C. Cameron, *JNES* 1942, 216.

<sup>10</sup> Cf. N. Schneider, *Orientalia* 1940, 7.

<sup>11</sup> Cf. the list of restored sacred utensils in Ezra 1:7-11, explained by K. Galling, *ZDPV* 1937, 177.

<sup>12</sup> Such an anacoluthon, which troubles commentators (see Julius A. Bewer, *Der Text des Buches Ezra*, 1922, p. 62) occurs also in the record quoted in n. 9. Cf. J. Friedrich, *Orientalia*, 1943, 22.

<sup>13</sup> On archives in royal "treasure-houses" cf. Strabo XV, 735; P. J. Junge, *Klio*, 1940, 30.

<sup>14</sup> Ezra 6:1. Cf. Kittel (n. 1), III, 2, 312. It is difficult to say whether the *megillah* (that is *volumen*) mentioned here was a folded sheet of papyrus or a roll of sheets glued together to form a volume of royal "memoranda" from the first year of Cyrus.

ing as follows." The hagiographer speaks of a verbal promulgation made by heralds sent throughout the Empire. In the same way, Ezra and Nehemiah issue summons through all Judaea convening all the people at Jerusalem for gatherings.<sup>15</sup> Oral announcement of some matter which the authority desired to make known to the population was the usual method of publication in the Ancient World. Heralds are often mentioned in cuneiform text;<sup>16</sup> there was an office of the *Royal Herald* in Egypt<sup>17</sup> as well as at the court of Jerusalem.<sup>18</sup> The Prophets like to present their utterances as God's proclamations to his people.<sup>19</sup> "One says: Proclaim. And he says: What shall I proclaim?" (Is 40 6). "Go, and cry in the ears of Jerusalem, saying: Thus says the Lord" (Jer 2 1). The Persian law acknowledged validity of ordinances brought into force by oral promulgation. For instance, Pseudo-Smerdis sent messengers through the whole Empire to announce his coming to the throne. When the herald dispatched to Egypt "cried" in the midst of Cambyses' camp, Cambyses merely inquired whether the messenger had received the order from his pretended brother personally or through one of the courtiers.<sup>20</sup> Whereas royal letters were always written in Aramaic (even if addressed to the Greeks),<sup>21</sup> the verbal announcement was necessarily made in the local language. Thus, a Persian proclaimer addressed in Greek the Ten Thousand.<sup>22</sup> Likewise, when Persian heralds were dispatched through Thrace to prepare the supply system of Xerxes' expedition<sup>23</sup> they hardly made the proclamations in Aramaic, unintelligible to the population. This difference between official correspondence and official verbal announcement explains the fact that the Chronicler quotes Persian

<sup>15</sup> Ezra 10 7; Neh 8 15.

<sup>16</sup> See, e.g., Ed. Cuq, *Études sur le droit babylonien* (1929), 224.

<sup>17</sup> Breasted V (Index), p. 57, s.v.

<sup>18</sup> R. de Vaux, *RB* 1939, 395.

<sup>19</sup> J. Lindblom, *Die literarische Gattung der prophetischen Literatur* (Uppsala Univ. Arsskrift, 1924, 98).

<sup>20</sup> Herod. III, 62.

<sup>21</sup> Thuc. IV, 50, 2.

<sup>22</sup> Xen. *Anab.* II, 1, 7. Cf. Herod. III, 140; Plut., *Them.* 6.

<sup>23</sup> Herod. VII, 119.

documents in Aramaic but reproduces Cyrus' proclamation in Hebrew.<sup>24</sup> It is quite natural that the proclamation was read, too, in Jerusalem where the official language was still Hebrew in the time of Nehemiah.<sup>25</sup>

The king's word allowing the return of the Jews to their ancestral homes must have taken the form of a proclamation by the heralds in the whole Diaspora under Cyrus' sway. Second Isaiah speaks of "the messenger of good tidings," who announces salvation and God's return to Zion (Is 52 7). And again: "Go you forth from Babylon . . . proclaim this . . . make it go out even to the end of the earth; say: The Lord has redeemed His servant Jacob" (Is 48 20). Cyrus' proclamation addresses the Jews directly, in the same way as the Assyrian kings wrote to the Babylonians or to an Elamite tribe.<sup>26</sup>

Thus, there were (at least) two orders of Cyrus relevant to the Return from Captivity; a royal proclamation addressed to the Jews and published by the heralds everywhere in many languages, including Hebrew (Ezra 1), and on the other hand, a *Memorandum* to the royal treasurer, in Aramaic, which was not made public at this time.

## II

Since there was a Return from the Captivity under Cyrus,<sup>27</sup> the king must have issued a proclamation summoning the Exiles to go back to Jerusalem. But it is another question whether

<sup>24</sup> Demotic correspondence between the Egyptian priests at Elephantine and the Persian satrap Pherendates gives "copies," i.e., translations of the original text. See W. Spiegelberg, *Sitz.-Ber. Preuss. Akad.* 1928, 605; *Die Demotischen Papyri Loeb* (1933), no. 6. On the other hand, Darius' proclamation, preserved in the great trilingual inscription at Behistun, was officially translated and published in Babylonian, Aramaic, Egyptian, and, probably, in many other languages.

<sup>25</sup> Neh 13 24. In Cyrus' time, the Jews in Babylonia still used the ancestral language: see S. Daiches, *The Jews in Babylonia* (1912), 30.

<sup>26</sup> R. H. Pfeiffer, *State Letters of Assyria* (1935), Nos. 28 and 80.

<sup>27</sup> See now W. F. Albright, *From the Stone Age to Christianity* (1940), 246. Galling's hypothesis (see n. 1) that the Return took place under Cambyzes, has been refuted by H. H. Schaeder, *OLZ* 1938, 103 and Smith, 145.

the text of the proclamation is trustworthy as given by the Chronicler or has been more or less altered from its original form by the hagiographer. The latter opinion is held even by the exegetes who maintain the authenticity of the scriptural account.<sup>28</sup> Radical critics assume that counterfeiting of this text is manifest at first glance.<sup>29</sup>

Modern translators render the text as follows.<sup>30</sup> "Thus saith King Cyrus of Persia: All the kingdoms of the earth has YHWH, the God of heaven, given me, and He has charged me to build a house for Him in Jerusalem, which is in Judah. Whosoever is among you of all His people, his God be with him, and let him go up to Jerusalem, which is in Judah, and build the house of YHWH, the God of Israel, He is the God who is in Jerusalem. And whosoever is left, in any place where he adjourns, let the men of his place support him with silver, and with gold, and with goods, and with beasts, beside the freewill-offering for the house of God which is in Jerusalem" (Ezra 1 2-4).

Critics discover in these three verses a flagrant anachronism, many suspect expressions, and an historical nonsense. It seems to me, however, that their objections are based on misinterpretation.

All commentators regard the titulary of Cyrus in the proclamation as anachronistic.<sup>31</sup> They lay stress on the fact that the Achaemenians are never styled "King of Persia" in their royal inscriptions and Babylonian contracts. The argument seems decisive, but it is only delusive. We cannot infer from the official style of one type of documents results valid for another. As a matter of fact, the royal style of the Achaemenian house changed with the language of the instrument and its

<sup>28</sup> See, e.g., J. Goettsberger, *Die Bücher der Chronik* (1939) ad II Chron 36 23.

<sup>29</sup> See, e.g., Ed. Meyer, *Die Entstehung des Judentums* (1896), 49; Schaeder (n. 2), 29.

<sup>30</sup> The translation follows (with some minor changes) the version published by the Jewish Publication Society. All other translations in modern languages agree, so far as I know, with the quoted one.

<sup>31</sup> The argument has already been advanced by H. Ewald (*History of Israel* V, 48) and is repeated and maintained by all critics since.

formula.<sup>32</sup> For instance, Darius I is called in his Persian "display" inscription, erected in Egypt, "The great king, king of kings, king of countries, containing all (kinds) of men, king of this great earth, far and wide," etc.,<sup>33</sup> while on hieroglyphic monuments he receives the appellation of a Pharaoh: "King of Upper and Lower Egypt, Lord of the Two Lands," etc.<sup>34</sup> In the dates of business documents, written in Egypt, in Demotic<sup>35</sup> as well as in Aramaic,<sup>36</sup> the same ruler is simply styled: "Darius, the king." But in the dates of cuneiform contracts, drawn in Mesopotamia<sup>37</sup> or even in Syria,<sup>38</sup> Darius is designated: "King of Babylon, king of lands." Again, in the dating clause of Elamite drafts from the royal treasury at Persepolis under the same ruler no king is mentioned but only year and month.<sup>39</sup> Since we do not have any parallel text to Cyrus' Hebrew proclamation it is futile to argue whether the title given here to the king is trustworthy or not. But we can prove that it is not anachronistic.

Critics repeat that Persia being absorbed in a world Empire of Cyrus by his conquest of Babylon, the title "King of Persia" was no more employed officially. In fact, Greek terminology shows that the Achaemenids were known in the West as "Kings of Persia," and, accordingly, did not use the Babylonian title ("king of lands," etc.) in dealing with the Lydians and Ionians.<sup>40</sup> Likewise, the Chronicler uses the title "king of Persia" in his narrative.<sup>41</sup> The title "king of Babylon" appears in a passage

<sup>32</sup> A convenient concordance of pertinent data is presented by R. D. Wilson, in *Festschrift Eduard Sachau* (1915), 179.

<sup>33</sup> R. G. Kent, *JNES* 1942, 419.

<sup>34</sup> Posener, p. 37, etc.

<sup>35</sup> Wilson, *op. cit.*, 189.

<sup>36</sup> See, e.g., Cowley, No. 28.

<sup>37</sup> Wilson, *op. cit.*, 184.

<sup>38</sup> E. Dhorme, *RA* 1928, 67.

<sup>39</sup> G. G. Cameron, *JNES* 1942, 215.

<sup>40</sup> The Persian ruler is styled "king of kings" in an Aramaic-Lybian bilingual inscription (C. C. Torrey, *AJSL* 1917-18, 185). The same title is given to Xerxes in an Aramaic dedication at Memphis (G. A. Cooke, *A Text-Book of North-Semitic Inscriptions*, No. 71). Cf. Ezra 7 12.

<sup>41</sup> See, e.g., Ezra 1 8; 3 7; 4 3, etc.

of Nehemiah's Memoirs (Neh 13 6), when this appellation, abolished in 482 B.C.,<sup>42</sup> was no longer official. Since the Chronicler wrote under Persian domination, probably in the first half of the 4th cent.,<sup>43</sup> his usage shows how the Achaemenians were styled in Jerusalem. If Palestine surrendered to Cyrus before the fall of Babylon, as Berosus' account suggests, the conqueror could hardly carry here another name than that of the "king of Persia."<sup>44</sup> This appellation was not dropped. From 485 to 482 B.C. the name of "king of Persia and Media" preceded the Babylonian title ("king of the lands," etc.) even in cuneiform instruments.<sup>45</sup> As to Cyrus himself, in a cuneiform inscription from the beginning of his Babylonian reign he is styled: "Cyrus, king of all, king of Anshan."<sup>46</sup> Since Anshan could be used as a learned name for Persia,<sup>47</sup> this inscription on the bricks of Ur preserves contemporary evidence showing that in 538 Cyrus could have been designated as "King of Persia" in a document emanating from the royal chancellery.

### III

Critics discover a Jewish phraseology in the titles of the Lord, called in the proclamation "God of Heaven" and "God of Israel." But the Persian administration necessarily styled the deities of the subject peoples in agreement with the phraseology used by the latter. For instance, in Persian documents Marduk is called "king of the gods."<sup>48</sup> Sin is "the Lord of Heaven and Earth,"<sup>49</sup> Neith is "Lady of Sais,"<sup>50</sup> and even the ram-headed Khnum is

<sup>42</sup> G. G. Cameron, *AJSL* 1941, 327. Cyrus is styled "king of Babylon" in Ezra 5 13 as Nebuchadrezzar's successor.

<sup>43</sup> I shall deal with this subject elsewhere.

<sup>44</sup> Berosus *ap.* Josephus, *C. Ap.* I, 150. Cf. Smith, 42.

<sup>45</sup> G. G. Cameron, *AJSL* 1941, 324.

<sup>46</sup> C. J. Gadd, L. Legrain, *Ur Excavations I. Royal Inscriptions*, No. 194.

<sup>47</sup> Smith, 121. Cf. G. G. Cameron, *History of Early Iran* (1936), 223; E. Herzfeld, *Iran in the Ancient East* (1941), 111.

<sup>48</sup> Cyrus' Cylinder (Rogers, 380).

<sup>49</sup> Gadd, Legrain (n. 46), No. 307.

<sup>50</sup> Posener, No. 8.



respectfully called in the official correspondence: "The Lord of Elephantine."<sup>51</sup> In dealing with Persians, the Jews at Elephantine called their deity "the God of Heaven." Accordingly, the same name is used with respect to Him by the Persian authorities.<sup>52</sup> The term "God of Heaven" was used for all supreme divinities of the Semites, for instance Marduk and Baal-Shamem.<sup>53</sup> Some scholars say that the Lord of Zion was regarded as ruler of the cosmos by his devotees already at the time of Solomon.<sup>54</sup> In 519 B.C.<sup>55</sup> the Jewish authorities in Jerusalem officially designated their deity as "the God of Heaven and Earth" (Ezra 5 11), using the name given to Him in Deut 4 39. Darius accordingly employed the same appellation ("God of Heaven") in his rescript (Ezra 6 19).

For the same reason the expression "God of Israel," to which critics equally object, is not surprising in a Persian document. Since Israel was the historical name of the whole nation, the Twelve Tribes, it remained fixed on the rest of the people in Judah, after the end of the Northern Kingdom in 721. Ezekiel speaks of the remnant of Israel in Jerusalem (Ez 9 8). During the Exile the appellation "Israel" was preferred because it designated the Remnant as the "Chosen People."<sup>56</sup> Second Isaiah calls out to "the God of Israel, the Saviour" (Is 45 15), and an oracle was addressed to Cyrus on behalf of YHWH, "the God of Israel" (Is 45 3).<sup>57</sup>

Other expressions, which commentators consider superfluous, only exhibit the mark of bureaucratic style. Such are the specifications: "Jerusalem which is in Judaea," "God who is in Jerusalem." In the request of the Jews from Elephantine sent to the Persian governor of Judaea, we read: "god Khnub who is in the fortress of Yeb," "the temple of Yau, the god, which is in the fortress of Yeb," etc.<sup>58</sup> Such precision was necessary.

<sup>51</sup> Spiegelberg (n. 24), 606.

<sup>52</sup> Cowley, No. 31.

<sup>53</sup> Albright (n. 27), 160.

<sup>54</sup> W. F. Albright, *Archaeology and the Religion of Israel* (1942), 154.

<sup>55</sup> R. A. Parker, *AJSL* 1941, 372.

<sup>56</sup> H. Zucker, *Studien zur jüdischen Selbstverwaltung im Alterthum* (1936), 12.

<sup>57</sup> Cf. L. Finkelstein, *The Pharisees II* (1938), 703.

<sup>58</sup> Cowley, No. 30.

Exegetes forget that the God of Israel was worshipped not only in Jerusalem, but, for instance, also in Samaria. As to the expression of good wishes ("may his God be with him"), that belongs to the standard form of Oriental messages.<sup>59</sup>

#### IV

All translators unanimously render the verse 4 as follows: "And whoever is left . . . let the men of his place help him." That is understood as an order to Cyrus' pagan subjects to make contributions for the benefit of the Remnant of the Chosen People. Critics deny that one may expect such an order of Cyrus. This time they are right, but they misunderstand the passage.<sup>60</sup>

Its current rendering follows the Greek version (probably Theodotion's)<sup>61</sup> included in the Septuagint, and Rashi's paraphrase. The nominative (Niphal Part.) *kol hannish'ar*, which begins the sentence, is taken for the logical subject of the following verb, resumed by the suffix of the latter.<sup>62</sup> Grammatically this construction of a *casus pendens* seems irreproachable.<sup>63</sup> Nevertheless, commentators confess that a sensible rendering of the passage is almost impossible, and manipulate the text accordingly.<sup>64</sup> One is bound to observe, in the first place, that the verb *sha'ar* simply refers to that what is "left" from a total after some deduction. For instance, the people, "that are left" in all the land of Israel as opposed to David's host (I Chron 13 2). Thus, when the word should mean the purified "Remnant" of

<sup>59</sup> Cf. R. H. Pfeiffer, *JAOS* 1923, 34. See, e.g., Assurbanipal's message to the Babylonians *ap.* Waterman, II, No. 926. Cf. A. T. Olmstead, *History of Assyria* (1923), 476.

<sup>60</sup> The wrong interpretation goes back to Nicholas Lyra, quoted in N. Polus, *Synopsis Criticorum* I, 1969.

<sup>61</sup> Torrey, 66.

<sup>62</sup> See, e.g., Bertheau, *ad* 1.

<sup>63</sup> A. Kropat, *Die Syntax des Autors der Chronik* (1909), 61; cf. Ed. Koenig, *Lehrgebaude der Hebräischen Sprache* II, 2 (1897), 449.

<sup>64</sup> Batten and Bewer (n. 12) *ad* 1.

Israel<sup>65</sup> or the "Survivors" of the Captivity,<sup>66</sup> this particular meaning is given by a specification or by the context. "The remnant of Israel's house," says Second Isaiah (46 3). II Chron 30 6 speaks of "the remnant" referring, as the narrative shows, to those escaped from the hands of the kings of Assyria. Secondly, the Chronicler, and the Scripture generally, speaking of the residue of Israel after the deportations of 722, 597, and 586 mean, quite logically, not the Exiled, but "the remnant that is escaped" (Ezra 9 8), "the people that was left in the land" (Jer 41 10).<sup>67</sup> For this reason alone the passive participle "left" in Ezra 1 4 should never be taken for an allusion to the Exiles.<sup>68</sup> In fact, as Rashi saw,<sup>69</sup> in Cyrus' proclamation the expression *kol han-nish'ar* contrasts the returning Jew (v. 3) to those "left behind." Accordingly, he inferred that the latter are the people unable to go back to Jerusalem for lack of means, and that Cyrus commands to help these who may have to stay through poverty. But that is to bring into the text something which it does not say. The plain meaning of the passage simply contrasts the Jew who returns and those who remain. So the text was understood by the compiler of First Esdras and Jerome: ὅσοι οὖν κατὰ τόπους οἰκοῦσιν, βοηθείωσαν αὐτῷ οἱ ἐν τῷ τόπῳ αὐτοῦ (I Esdr 2 4); *et omnes reliqui in cunctis locis uibcumque*

<sup>65</sup> This is the meaning given to the word in Cyrus' proclamation by the majority of exegetes. See, e.g., Lods (n. 1), 186.

<sup>66</sup> This is the interpretation of the verb in Ezra 1 1 as given by many commentators; see, e.g., Batten, Ryle, etc. Cf. A. Ehrlich, *Randglossen* VII (1914), 156.

<sup>67</sup> See, e.g., Ezra 9 8, 15; Neh 1 3; Hag 1 12; 2 2.

<sup>68</sup> It is difficult to understand how Biblical scholars, e.g., Kittel (n. 1), III, 2, 370, can affirm that the Return was styled "Remnant." The passages where this term may refer to the Dispersion are extremely rare, e.g., Is 11 11.

<sup>69</sup> An exact translation of Rashi's remark, which I owe to the kindness of Professor Saul Lieberman, follows. "And any Jew who will remain in his place and not be able to ascend (*scil.* to Jerusalem), because he has no money, I command the people of his place that they should outfit him with silver, gold, property, and cattle, to enable him to ascend to Jerusalem with the gifts for the building of the Temple offered by the people of his place, since even among the Gentiles there were people who gave gifts for the building of the Temple."

*habitant, adjuvent eum viri de loco suo* (Vulgate, Ezra 14). The Chronicler himself corroborates this interpretation by his historical narrative (Ezra 15-6), distinguishing here all who went up to Jerusalem and "all their neighbors," who assisted them with money and gifts.

The grammatical construction required by the suggested interpretation is simple. The subject "whoever remains," having a collective meaning, is construed, as usual, with the predicate in the plural.<sup>70</sup> The pronominal suffix of the predicate "assist him" refers back to the subject of the preceding sentence. After the verb the subject is resumed by the locution: "the men of his place" (that is the inhabitants), where the pronominal suffix again refers to the returning Jew. Such resumption of the subject in an involved sentence often occurs in Hebrew,<sup>71</sup> see, for instance, Gen 17 14. In this passage, as in Ezra 14, the verb agrees with the resumed subject which follows and not with the first subject. The placing of a complementary clause between the (first) subject and the verb creates an apparent difficulty, but is a favorite construction of the Chronicler.<sup>72</sup> In the inserted clause, whoever remains "in all the places where *he* sojourns," I venture to suggest that the pronoun "*he*," like all the pronominal suffixes in the passage, refers to the subject of the preceding sentence, the returning Jew. The whole phrase may be rendered as follows: "Who is there among you of all His people? . . . Let him go up to Jerusalem . . . and every one who remains, in any place where he may sojourn, let them — the men of his place — assist him with silver, and with gold, and with goods, and with riding-beasts,<sup>73</sup> beside the freewill-offering for the house of God, which is in Jerusalem."

<sup>70</sup> Cf. Kropat (n. 63), 28.

<sup>71</sup> See, e.g., Ex 12 15 and 19; Lev 7 25; 17 8; Num 19 20. I owe the references and the explanation of the syntactical construction to Professor H. L. Ginsberg. Cf. Koenig (n. 63), 441.

<sup>72</sup> R. Corwin, *The Verb and the Sentence in Chronicle* (Dissertation, Univ. of Chicago, 1909, p. 16).

<sup>73</sup> Torrey, 121.

## V

The expression: "in all places where he may sojourn" arouses also the suspicions of some historians.<sup>74</sup> They find it hard to believe that Cyrus described the exiles as "resident aliens" (גרים) as if they were in Babylonia temporarily. As a matter of fact, the verb גר (*gar*) merely denotes accurately the legal status of the Dispersion. Among the ancients, a resident alien and his descendants preserved his original nationality indefinitely, unless he was admitted among the citizens.<sup>75</sup> Ezekiel's idea that the alien residents "who beget children among you" shall have an inheritance among the children of Israel (Ez 47 22), the universalistic announcement of the Second Isaiah, on behalf of the Lord, "My house shall be called a house of prayer for all nations" (Is 56 7) and the principle of Jewish proselytism which admitted a stranger to the covenant, were all revolutionary innovations in the ancient world, where the foreigners had no access to the worship and no part in the national law. Historians who repeat that postexilic Israel was characterized by rigid exclusiveness, are not well informed about Judaism and pagan society.<sup>76</sup>

Let us quote some examples. The Spartan Demaratus fled to Persia in 491 B.C. and received from Darius a principality in Asia Minor; nevertheless, more than two hundred years later, a descendant of his is styled Lacaedemonian.<sup>77</sup> The Paeonians transported by the Persians to Phrygia, the Milesians or the Eretrians deported to Mesopotamia, did not become Phrygians

<sup>74</sup> See, e.g., Lods (n. 1), 186, W. E. O. Oesterley, *A History of Israel* II (1932) 75.

<sup>75</sup> See *Archiv für Papyrusforschung* VIII, 222. As a cuneiform parallel we may quote a document from Uruk (525 B.C.) translated by H. F. Lutz, *Univ. of California Public. in Semit. Philol.* X, 7 (1937). Its scribe (who is a priest) records his origins from another town because he is not a citizen of Uruk.

<sup>76</sup> See C. C. Torrey's vigorous protest (*The Second Isaiah*, 1928, p. 132) against this current misconception of postexilic Judaism; cf. Finkelstein (n. 57), 535. As to classical society, it is a pity that Fustel de Coulanges' *La Cité Antique*, published 1864, is so little read and known outside of France.

<sup>77</sup> G. Dittenberger, *Sylloge Inscr. Graec.* (3rd ed.) No. 381.

or Babylonians.<sup>78</sup> A royal privilege was necessary to reckon as Persians the children of a deported Greek nobleman and his Persian wife.<sup>79</sup> Assyrian military colonists in Palestine remained "the Susians," "the Elamites," etc. "residing<sup>80</sup> in Samaria" (Ezra 4 10 and 17). Some two hundred years after the establishment of the military settlement at Elephantine, one of its members was still "a Jew" or "an Aramean," and not a native of Elephantine.

Like other deportees, such as the Carians settled in a village on the Tigris,<sup>81</sup> the Exiles formed communities under their own chiefs. Of deported Paeonians, Herodotus says that they lived in a village "by themselves."<sup>82</sup> Such a Jewish *politeuma* (to use the Greek term) at Tell Abib, near Nippur, is known from Ezekiel (3 15) and cuneiform documents.<sup>83</sup> Other places are mentioned in Ezra 2 59. Ezra forwards his orders to Iddo, "the chief in Casipha, the place" (Ezra 8 17). There were many Jews who preferred to remain in the Dispersion, as Josephus suggests,<sup>84</sup> unwilling to leave their possessions. His idea may be sound since the Exiles were principally occupied in farming and thus attached to their immovable belongings. The modern suggestion that the Jews became money-lenders and tradesmen in the Babylonian Exile belongs to professorial mythology. Cyrus commands those who remain in the Dispersion to assist the Return materially, each *politeuma*, "the men of his place," outfitting its members who go back and providing offerings for the Temple.

## VI

The mistakes of critics are subordinated to their basic error. Following Josephus and Jerome,<sup>85</sup> they view Cyrus' edict only as a favor granted to the Jews. Both these authors erroneously

<sup>78</sup> Herod. V, 98; Diod. XVII, 119; Strabo XV, 747.

<sup>79</sup> Herod. VI, 41.

<sup>80</sup> On the exact meaning of the verb *yṭb* see Cowley, No. 9 and *Index*, p. 291, *s.v.*

<sup>81</sup> W. Eilers, *ZDMG* 1940, 220.

<sup>82</sup> Herod. V, 98.

<sup>83</sup> Daiches (n. 25), 5.

<sup>84</sup> Jos. *Antt.* XI, 8.

<sup>85</sup> Josephus, *l.c.*; Jerome *ad Is* 45 1 (*P.L.* XXIV, 442).

understand Cyrus to declare that YHWH is the only God: *Scriptisise Cyrum ad omnes gentes, nullum esse Deum, nisi Deum Israel*.<sup>86</sup> Such a Jewish monotheistic declaration has been regarded by critics as a Jewish forgery: some attribute it to the Chronicler, eager to glorify the Chosen people;<sup>87</sup> others suppose that its author was proving the realization of the prophecies of a Return.<sup>88</sup>

According to the bureaucratic style of Babylonian scribes, Cyrus gives in a preamble the reasons of his decision. "All the kingdoms of the earth has given me YHWH, the God of heaven, and He has charged me to build Him a house in Jerusalem which is in Judah." Critics misunderstand this passage as a homage paid to the God of the Jews.

For the ancients a city was the dominion of its tutelary gods.<sup>89</sup> Marduk was "the king of Babylon," Sin that of Ur, and a stranger entering Athens invoked Athena, "the mistress of this land."<sup>90</sup> And the Second Isaiah says: "YHWH, the king of Israel" (Is 44 6). A prince was only a vice-regent of the heavenly ruler, and his priest who looked after the public worship.

In order to suppress a captured city, the victorious enemy carried away its divine images. When Moab is destroyed, says an oracle (Jer 48 7), Chemosh, the god of this nation, shall go forth into captivity with his priests and his princes. For the same reason, a conqueror of a nation had to call upon the gods of his subjects to side with him and recognize him as their legitimate representative on earth.<sup>91</sup> Thus, when Sargon of Accad extended his sway over Southern Babylonia, he conquered this Sumerian country by the grace of Enlil.<sup>92</sup> Some sixteen centuries later, in 710 B.C., Sargon of Assyria subjugated Babylon and Borsippa. He was greeted by the gods of both capitals and "took

<sup>86</sup> Jerome *l.c.*; cf. F. M. Abel, in *Vivre et Penser* 1 (1941) 117.

<sup>87</sup> See, e.g., Torrey, 153.

<sup>88</sup> See, e.g., S. Mowinckel, *Acta Orientalia*, 1937, 27.

<sup>89</sup> For Mesopotamian civilization, cf. Labat, 80; P. Dhorme, *La Religion Assyro-Babylonienne* (1910), 121.

<sup>90</sup> Aesch. *Eumen.* 211; cf. *ib.* 400.

<sup>91</sup> Labat, 38.

<sup>92</sup> G. A. Barton, *Royal Inscriptions of Sumer and Akkad* (1929), 105.

the hands" of Marduk of Babylon and Nabu of Borsippa.<sup>93</sup> Shalmaneser III laid waste the city of the chieftain Ahuni and carried away his gods; but he offered sacrifices before Adad of Aleppo, when the people of this city had embraced his feet.<sup>94</sup> When Adadnirari II brought aid to the subject city of Kumme, he offered sacrifices "before Adad of Kumme, my lord."<sup>95</sup> When a calamity struck the subject city of Gozan (Tell Halaf), conquered in 895 B.C., the Assyrian overlord ordered to appease the local Adad.<sup>96</sup> When the Egyptians ruled over Palestine, the Pharaohs likewise cared for the local gods and build them temples, as for instance to "Mekal, the great god, the lord of Bethshan."<sup>97</sup>

The belief in the universal dominion of the supreme god, the idea that a local deity, let us say Koshar of Ugarit, reigns also over Crete and Memphis,<sup>98</sup> changed the formula of homage, but left intact its content. A new ruler received the investiture of a world empire from each universal god simultaneously, and established his relations to each god separately as before. Having entered Babylon, Cyrus announced that the Babylonian god Marduk had "appointed him to lordship over the whole world."<sup>99</sup> But at Ur, the Persian king proclaimed that "the great gods" of this city "had delivered all the lands into my hand,"<sup>100</sup> while in the temple of Sin it was this moon-god who had established Cyrus' dominion over "the four quarters" of the earth.<sup>101</sup> Later, in a hieroglyphic text, Darius I acknowledged that "the double Nile" had given him "all the countries," the list of which includes Persia herself.<sup>102</sup> On the other hand, in Persia, the Ach-

<sup>93</sup> Luckenbill, II, §272. Cf. Olmstead (n. 59), 255.

<sup>94</sup> Luckenbill, II, §§561 and 610.

<sup>95</sup> Luckenbill, I, §371.

<sup>96</sup> *Die Inschriften von Tell Halaf* (Arch. f. Orientforsch. Beiheft VI, 1940). No. 5.

<sup>97</sup> See now A. Rowe, *The Four Canaanite Temples of Beth-shan* (1940).

<sup>98</sup> Albright (n. 27), 160.

<sup>99</sup> Cyrus Cylinder (Rogers, 382).

<sup>100</sup> Gadd, Legrain (n. 46), No. 307.

<sup>101</sup> Gadd, Legrain, No. 94. Cf. C. J. Gadd, *History and Monuments of Ur* (1928), 250. See now J. Lewy in *HUCA* XIX (1946), 480.

<sup>102</sup> Posener, 17.



aemenidians naturally gave credit to Ahura-Mazda for their success. But in each case there is always the correlation between the appointment of the ruler by a god as his vicar and the latter's care for the worship of his god. Ashurbanipal says, for instance, that Sin of Harran, "who had created me for royalty" called him by name to restore the sanctuary of Harran.<sup>103</sup> Nebuchadrezzar II announces:<sup>104</sup> "Marduk . . . has given me power . . . Nabu and Marduk looked with favor on me and intrusted me solemnly with embellishment of the city and the restoration of the temple . . . I am Nebuchadrezzar who takes care of Marduk and Nabu, my lords." When under Ashurbanipal, his brother Shamash-shum-ukin was installed as king in Babylon, the records continued to give credit to the overlord for the offerings to the gods or for the rebuilding of their shrines. On the other hand, when the brother had revolted, he prevented Ashurbanipal's sacrifices to be offered before Bel and the other gods of Babylon and brought to an end his oblations.<sup>105</sup> Let me quote two other instances: Cleomenes I of Sparta, contemporary of Darius I, having defeated the Argives, was unable or unwilling to take their city. But he forced his way into the sanctuary of Hera and offered her a sacrifice, thus manifesting his lordship over the rival city.<sup>106</sup> On the other hand, the Tyrians were willing to obey Alexander the Great's orders, but they obstinately refused to admit him into Melkart's temple to sacrifice.<sup>107</sup>

The Achaemenidians followed the same lines of reasoning. Xerxes destroyed shrines of gods and carried away idols from hostile Athens.<sup>108</sup> But since Babylon had capitulated, Cyrus worshipped Marduk who had him "graciously blessed." In his Cylinder, Cyrus clearly formulates the principle of *do ut des* which governs the relations between the conqueror and a foreign god. He says: "Marduk moved the noble heart of the inhabitants

<sup>103</sup> Luckenbill, II, §938.

<sup>104</sup> L. Legrain, *Royal Inscriptions from Nippur* (1926), No. 79.

<sup>105</sup> Luckenbill, II, §§934 ff. Cf. Olmstead (n. 59), 440.

<sup>106</sup> Herod. VI, 81. Cf. Xen. *Hell.* III, 1, 24; Plut., *Sol.* 9.

<sup>107</sup> Arr. II, 15, 9.

<sup>108</sup> Herod. VIII, 53; Paus. III, 16, 8. Cf. Isid. Lévy, *Rev. Hist.* 1939, 18.

of Babylonia to me, while I gave daily care to his worship."<sup>109</sup> When Cambyses conquered Egypt, his barbarian soldiers polluted the sanctuaries of Sais, the religious capital of his Egyptian predecessors, the Saite Dynasty. But instructed by the Egyptian priests, Cambyses paid reverence to the gods of Sais, "as did every Pharaoh before him," and took the name of "Son of Neith," the tutelary deity of Sais.<sup>110</sup> Accordingly, he was recognized by the gods and men of Egypt as the legitimate ruler of their land. When Darius succeeded him, he, too, became "Son of Neith, the mistress of Sais," called and seated on the throne by Re,<sup>111</sup> while in Coptus, the city of god Min, the same Persian overlord was officially styled "loved by Min, who dwells at Coptus."<sup>112</sup>

By undertaking to reconstruct the Temple and gather the people of the Lord, Cyrus assumed the office of the deputy of the God of Jerusalem. Accordingly, as Second Isaiah announces, (44 28) the Lord called Cyrus: "My shepherd," giving him the honorific appellation of the ruler chosen by the deity.<sup>113</sup> And again, the prophet proclaims (45 1): "Thus says YHWH to His Anointed, to Cyrus, whose right hand I have holden, to subdue nations before him . . . I have called thee by thy name." Jerome correctly points out that the title of the "Anointed" was "the mark of the royal power among the Hebrews."<sup>114</sup> For this reason the expression perplexes the commentators. As Calvin,<sup>115</sup> they think that it is "absurd" to assume that the prophet had bestowed on a pagan ruler the title which belongs to the king of Israel. Nevertheless, the prophet saw in Cyrus "the true king" of Israel,<sup>116</sup> entrusted with a divine mission: "He shall build up my city, and he shall let go My captives" (Is 45 13); " . . . of

<sup>109</sup> Rogers, 382; cf. J. Lewy (n. 101), 485.

<sup>110</sup> Posener, 17.

<sup>111</sup> Posener, 58.

<sup>112</sup> Posener, 118.

<sup>113</sup> Labat, 178.

<sup>114</sup> Jerome *ad* Is 45 1 (*P.L.* XXIV, 411): *iste appellatus est Christus . . . quod erat insigne apud Hebraeos regiae potestatis.*

<sup>115</sup> Calvinus *ad* Is 45 1. Accordingly, he suggests that Cyrus is called here the Anointed, *quod ad tempus redemptoris officio functus est.* This explanation is maintained by the most modern commentators.

<sup>116</sup> Smith, 73.

Cyrus: My shepherd, he shall perform My pleasure, even saying of Jerusalem: she shall be built, and to the temple: thy foundations shall be laid" (44 24). The prince who, commanded by a god, builds his city and constructs his temple is the rightful king of this city and the legitimate vicar of this god. Thus Cyrus was called by Marduk to replace the sinful kings of Babylon. Marduk "sought a righteous prince, after his own heart, whom he took by the hand. . . . Cyrus . . . he called by name."<sup>117</sup> The same is the meaning of Cyrus' edict: the Lord of Jerusalem has chosen Cyrus to take place of the line of David as the king of Israel. When on Cyrus' orders, his governor Sheshbazzar "laid the foundations of the house of God which is in Jerusalem" (Ezra 5 16), he probably deposited a cylinder like one found in Sin's temple at Ur,<sup>118</sup> where the new ruler recorded his selection by the tutelary deity of the city.

Cyrus could equally worship Sin at Ur and the Lord in Jerusalem. But the God of Israel could not constitute a heathen His vicar. Second Isaiah hoped that Cyrus would recognize the Holy One of Israel (Is 41 25, 45) and believed that for Jacob's sake God had called one who knew Him not (Is 45 4). But there were many who resented the idea of the deliverance coming through a heathen deputy of God (Is 45 9) and rather expected that "a shoot shall come forth from Jesse's stump" (Is 11 1). Since Cyrus could hardly care personally for Jerusalem and her local deity, we may surmise that some Jewish opposition to salvation through a pagan vicar of the Lord blocked the rebuilding of the Temple ordered by Cyrus. This might explain why neither Haggai and Zechariah, nor the Jewish authorities under Darius, quote Cyrus' edict.

Cyrus' Temple was never realized. Then, in Darius' second year, on the 15th February 519 B.C., an offspring of David's house, Zerubbabel, grandson of the last Jewish king Jehoiachin, laid the foundations of the Temple of the Lord (Ezra 3 1).<sup>119</sup>

<sup>117</sup> Rogers, 381.

<sup>118</sup> See n. 100 above.

<sup>119</sup> On chronology see now R. A. Parker, *AJSL* 1941, 373. Darius' rescript, given in the summer 519, was connected with the codification of local customs throughout the Empire. Cf. R. Kent, *JAOS* 1938, 112.

Referring to this Davidid, an oracle announced: he shall build the temple of YHWH and sit upon His throne (Zech 6 13). Here again appears the necessary connection between the rebuilding of the temple and the kingdom of Israel. Darius I, hard pressed by revolts which had broken out at his accession from Elam to Egypt, let the governor of the Jews and elders of the Jews build the house of God at Jerusalem and payed the expenses from the tribute of Syria (Ezra 6 7-8). As an oracle said: "the hands of Zerubbabel have laid the foundations, his hands shall also finish it" (Zech 4 8). Thus, the Persian court accepted the idea that only a Jewish prince could rebuild the dwelling of the God of Israel. But the condition was that the priests in the new Temple "pray for the life of the king and his sons" (Ezra 6 10).<sup>120</sup> Thus Darius I established a compromise which served as a permanent precedent. Elsewhere the conqueror took place of the native ruler. The Achaemenidians or the Ptolemies were vicars of Egyptian gods, built them temples and were represented as offering them sacrifices. In the temple of Jerusalem, the Jewish priests prayed and sacrificed in behalf of the foreign overlord. Since Darius I this prayer for the welfare of the heathen ruler was the recognition of his legitimacy in Jerusalem. When the sacrifices offered at the Emperor's expense and for him were stopped in 66 A.D., this was the beginning of the Jewish war.

Placed against its historical background, Cyrus' proclamation can hardly appear as a Jewish invention. It is difficult to imagine a Jewish forger who would bestow on the heathen prince the honor of being the legitimate king of Israel and God's vicar.<sup>120a</sup> After the beginning of Darius' reign, when the temple was already rebuilt and consecrated by a prince of David's line, there was no place for an invention which would make Cyrus a second Solomon: "He shall build a house for My name, and I will establish the throne of his kingdom for ever" (II Sam 7 13).

<sup>120</sup> For Assyrian precedents see Pfeiffer (n. 26), Nos. 217 ff.

<sup>120a</sup> It is said in the Talmud that the *Shekinah* did not reside in the Second Temple because it had been built on orders of a heathen, Cyrus (see V. Aptowitzer, *REJ* 82 [1926] 283).

## VII

The Chronicler says (Ezra 1 1) that Cyrus issued his edict "to fulfil the word of YHWH." But historians confidently assure there is no likelihood that Cyrus would have acknowledged the God of Jerusalem and His oracles.<sup>121</sup> As a matter of fact being free from the tenets of any doctrinarism, the Achaemenidians eagerly and faithfully received the utterances coming from foreign gods. Cambyses believed in an Egyptian oracle concerning the place of his death,<sup>122</sup> Darius, Xerxes and their generals inquired of all Greek oracles;<sup>123</sup> Darius says that Apollo at Magnesia on the Maeander "told the Persians" the truth and for that received rewards from the Achaemenidians.<sup>124</sup> The Greek god sent probably favorable prophecies to Cyrus when the Persians were conquering Asia Minor.<sup>125</sup> When the Pisistratides refugees at the Persian court tried to convince Xerxes to make war on Athens they brought along a soothsayer, Onomacritus who, whenever he came into the king's presence, would recite the oracles of Musaios telling of favorable presages for the expedition. As Herodotus naïvely adds, the deceitful prophet suppressed the verses announcing the fatal end of Xerxes' campaign.<sup>126</sup> There were Jewish prophecies, old and new, predicting Babylon's fall. Second Isaiah speaks of their fulfillment (Is 42 9). The Jews would hardly abstain from quoting these revelations in approaching Cyrus, nor would he neglect the divine voice. Josephus may be right when he supposes that the reading of Is 45 1 led Cyrus to restore the holy city.<sup>127</sup> But the Chronicler refers expressly to Jeremiah's prophecies as fulfilled by Cyrus. Commentators suppose that the name of Jeremiah there is due to a clerical error or to a fault of memory. We should rather

<sup>121</sup> See, e.g., Oesterley (n. 74), 15.

<sup>122</sup> Herod. III, 64.

<sup>123</sup> Herod. VIII, 133; IX, 42; IX, 151.

<sup>124</sup> Darius' Letter to Gadates, reproduced, e.g., *ap.* Dittenberger (n. 77), No. 22; cf. A. T. Olmstead, in *AJSL* 1932-1933, 157.

<sup>125</sup> Smith, 41.

<sup>126</sup> Herod. VII, 6. These oracles were ascribed to Musaios (Herod. IX, 43).

<sup>127</sup> Jos. *Antt.* XI, 6.

admit that the hagiographer intentionally avoided to quote Second Isaiah. For the Chronicler, the Persian king is a simple instrument of the Providence, alike Nebuchadrezzar who was brought upon the Jews to fulfill the menace formulated in Lev 26<sup>34</sup> and referred to in II Chron 36<sup>21</sup>. In the prophecies of Second Isaiah, the Persian is addressed in person by the Lord and the advent of Cyrus will establish God's everlasting kingdom: every knee shall bend and every tongue shall swear only in the Lord (Is 45<sup>24</sup>). Writing some two hundred years later, the Chronicler knew that the promise had not been fulfilled and that idolatry was still glorified in all the ends of the earth. Jerusalem herself was still under the sway of a heathen prince, and the hagiographer expected a coming restoration of the house of David.<sup>128</sup> Thus, Cyrus did not fulfill the words of Isaiah, but he realized the oracle of Jeremiah's book that Babylon will be punished and Israel brought back to his pasture (Jer 50<sup>18</sup>).

## VIII

Let us now return to the diplomatic viewpoint from which we began the examination of the Persian document, embedded in the First Chapter of Ezra. If the instrument is authentic, as we endeavored to show, it is of great importance for the history of ancient institutions. It is a proclamation made through herald, in the first year of Cyrus, as the Chronicler says (Ezra 1<sup>1</sup>), that is 538 B.C.<sup>129</sup> The document exhibits a bipartite structure. At the beginning there is an introductory clause in the 3d person: "Thus says Cyrus." The formula is the same in the Aramaic translation of Darius' Behistun inscription and exactly repro-

<sup>128</sup> Cf. R. H. Pfeiffer, *Introduction*, 371.

<sup>129</sup> We are unable to say whether the author conjectured the date or knew it from the tradition. Its exactness is confirmed by the date of the memorandum Ezra 6<sup>1</sup>. We do not need to deal here with the problem of Cambyzes' co-regency since the latter was only the king of Babylon and its neighborhood; see W. Dubberstein, *AJSJL* 1938, 417; Smith, 48; and on the local limitation of this co-rulership, cf. M. San-Nicolò, *Sitzungsber. Bayer. Akad.* 1942 (quoted by A. Pohl, *Orientalia*, 1943, 161).

duces the Persian term *θātiy*, which is also in the present.<sup>130</sup> The Hebrew even preserves the Persian collocation of words.<sup>131</sup> On the other hand, the formula is exactly the same as the opening utterance of the Prophets: *ko 'amar YHWH*, "thus saith the Lord." Both wordings simply reproduce the expression used by the messenger who conveyed an oral communication. For instance, Ben-Hadad of Damascus sent messengers to Ahab of Samaria to say: "Thus says Ben-Hadad: Thy silver and thy gold is mine" (I Kings 20 3). Arise, commands God to Elijah, go down to meet Ahab: "Thou shalt speak to him, saying: Thus says the Lord" (I Kings 21 17). The same was, too, the superscription of cuneiform letters in the second millenium, when the epistolary style still imitated the form of oral messages, for instance: "To Sin-idinnam speak: Thus (says) Hammurabi." But in the first millenium the letter became a form of communication all its own, introduced by a formula (still in the 3rd person) conveying salutations of the author to the addressee, as, for instance: "To the king my lord, your servant Ashur-risua: Greetings to the king my lord."<sup>132</sup> The new epistolary style passed into Aramaic and was later borrowed by the Greeks. It is, thus, striking that the Persian royal correspondence was couched in the form of an oral message, as, for instance: "Darius . . . to Gadatas . . . thus speaks." Since the original seat of the Achaemenidians was in the vicinity of Susa, in Elam,<sup>133</sup> the Persian kings probably continued to use in their correspondence a formula borrowed from the Elamites who clung to the antiquated style of Hammurabi's time.

<sup>130</sup> A. T. Olmstead, *AJSL* 1932-33, 157.

<sup>131</sup> See, e.g., the transcription of an inscription of Artaxerxes I *ap.* R. G. Kent, *JNES* 1945, 230.

<sup>132</sup> On the epistolary style in cuneiform texts see specimens chronologically arranged in Waterman, IV, p. 217; cf. Pfeiffer *JAOS* 1923, 34; J. Theiss, *Altbabylonische Briefe* (Dissertation; Leipzig, 1913); O. T. Allis, *Neubabylonische Briefe*, Dissertation: Berlin, 1913. According to Theiss, 6 the "new epistolary style was of Egyptian origin. On Egyptian epistolary style cf. F. Griffith, *The Petrie Papyri* II (1898), 61; A. Scharff, *Zeitschr. für Aeg. Sprache*, 1923, 22.

<sup>133</sup> Cameron (n. 47), 129.

The communication itself is set down in the first person of the present. The herald identifies himself with the originator of the message: "All the kingdoms. . . has the Lord . . . given me." Accordingly, the herald speaks directly to the public: "Who is there among you?" With the Septuagint and Jerome, the pronoun מִי (*mî*) which opens this phrase is to be understood as an interrogative, rather than as an indefinite, "whoever." A proclamation beginning with an interrogative clause occurs elsewhere, for instance Judg 7 3, and equally in Greek diplomatic style. Thus, in Xenophon's *Cyropaedia*, Cyrus after the defeat of an enemy army, ordered this proclamation: If there is any Persian, Greek, etc., enslaved by the enemy, he should declare himself.<sup>134</sup> These parallels explain the words "among you" which commentators regard as hardly admitting of interpretation.<sup>135</sup>

The Chronicler informs the reader (Ezra 1 1) that Cyrus' proclamation was published throughout his empire by the mouth of herald "and also in writing." It occurred sometimes that an oral message was confirmed by a letter conveyed by the same messenger. Sennacherib's herald sent to king Hezekiah in 701 B.C., first spoke the menacing communication, then Hezekiah received the Assyrian letter and read it (II Kings 19; Is 37). But such procedure was impossible in the case of a general proclamation. On the other hand, the word מִכְתָּב (*mikhtabh*) in Ezra 1 1, which the versions render by "writing" is a technical term used in the Bible seven times only. It means, as Ex 32 16; 39 30; Deut 10 4 clearly show, *inscriptio*, words engraved on tables, on signets. When the Chronicler mentions David's *kethabh* and Solomon's *mikhtabh* regulating the services in the Temple (II Chron 35 4) he refers in the first case to David's plans handed down to Solomon in a written form (I Chron 28 19), and thinks that Solomon's ordinance (II Chron 8 4) was inscribed on a pillar in the sanctuary. Likewise, the thanksgiving psalm of Hezekiah is called a *mikhtabh* of this prince because it was inscribed on a

<sup>134</sup> Xen., *Cyrop.* V, 18, 1; Herod. VII, 134. There were, of course, too, proclamations beginning with "whoever." See, e.g., Herod. VI, 126; VIII, 41; Xen. *Anab.* II, 2, 12.

<sup>135</sup> Batten, *ad* ch. 1.



slab.<sup>136</sup> Accordingly, the *mikhtabh* of Cyrus' edict was a poster reproducing the message. Elsewhere (II Chron 30) the hagiographer describes the procedure of a double promulgation, by herald and through placards. King Hezekiah "Sent (orders) to all Israel and Juda and even wrote dispatches" to Ephraim and Manasseh to keep the Passover in Jerusalem. It was decreed "to make proclamation by voice" throughout all Israel, and "the posts went with dispatches" from city to city, saying: You, children of Israel," etc. As this apostrophe shows, the dispatches (*iggeroth*) were addressed to the public generally and thus could only be published on boards.

## IX

These features assign to Cyrus' edict a particular place in the field of ancient diplomatic documents. In Mesopotamia the herald's proclamation had the same form, but it was never posted, even if its result was, then, registered in writing, as in the case of sale by a public crier.<sup>137</sup> I am unable to ascertain whether Egyptian edicts were placarded but they had form of a direct commandment;<sup>138</sup> the messenger in Egyptian does not identify himself with the sender of the communication. In Greece, the formulae of a written communication and of a "cry" by the herald are completely different. The herald announces in the 3rd person of a past verb a decree which has been made. "What has been approved and resolved, by the authorities of the Cadmeian city, I am to make known. It has been decreed to bury Eteocles," etc.<sup>139</sup> There is no introductory formula,<sup>140</sup> and a

<sup>136</sup> H. L. Ginsberg, in *Louis Ginzberg Jubilee Volume I* (1946), 169. I must admit, however, that in the passage II Chron 21 12 it is rather difficult to understand the term as meaning "inscription."

<sup>137</sup> See, e.g., P. Koschaker, *Zeitschr. der Savigny-Stift.* 1929, 291. and *Abh. Seachs. Ges. d. Wissensch.* XXXIX, 5, p. 77.

<sup>138</sup> See, e.g., Breasted, II, Nos. 352; 925; III, No. 436; IV, No. 595.

<sup>139</sup> Aesch. *Septem c. Theb.* 1011. Cf. already Hom. *Iliad.* III, 245.

<sup>140</sup> This formula appears when the messenger simply forwards a communication. See, e.g., Herod. IX, 21: *Μεγαρέες λέγουσι· ἡμεῖς, ἄνδρες σύμμαχοι.* etc.

*kerygma* is never promulgated in writing. We must turn to Rome to find an exact analogy to Cyrus' proclamation.

Roman magistrates made known to the public their ruling by the way of an *edictum*, which announces the orders in the 1st or 2d person, but had a preamble formulated in the 3rd person and in the present. For instance: "Germanicus . . . says: . . . I command. . . your goodwill . . . I welcome." Such proclamation was read by the herald and, written on a kind of "white-board" (*album*). The latter was put up in a public place, in order that all persons might take notice of its content. Thus, the formal difference between the *edictum* and the Greek *kerygma* was striking. Accordingly, the Greeks never called the Roman Roman instrument a *kerygma*.<sup>141</sup> Still more striking is the fact that the Roman and the Persian proclamation have the same formula and were both also promulgated by posting. How are we to explain this coincidence between *edictum* and *mikhtabh*? Since the Hittite kings, many centuries before Cyrus and Romulus, began their proclamation by the same formula: "Thus (says) king," and these proclamations are preserved in writing,<sup>142</sup> one may suppose that the Etruscans had brought to Italy the formula originated in Asia Minor. It would not be the first Roman borrowing from Etruria and not the first mark of relationship between Etruria, the Hittites, and the Mesopotamian civilization. The Etruscan inspection of the liver of victims slain for that purpose has its counterparts in Asia Minor and its origins in the art of Chaldaean soothsayers.<sup>143</sup> As to *edictum*, the difficulty is that the poster is hardly possible in cuneiform script and on clay tablets. But there were wooden tablets, the *album*, a writing material traditional in Asia Minor. But I must leave it to the Orientalists to follow up and ascertain the common source of the Roman *edictum* and Cyrus' edict. The discoveries of archaeology widen our historical horizons day by day and clearly show that from the beginning of our civilization no people stood by itself but was only a part of a whole.

<sup>141</sup> U. Wilcken, *Zeitschr. der Savigny Stift.* 1921, 133.

<sup>142</sup> E. H. Sturtvenant, G. Bechtel, *A Hittite Chresthomathy* (1935), p. 84.

<sup>143</sup> G. Contenau, *La divination chez les Assyriens et les Babyloniens* (1940), 243.

## X

The results of our investigation may be summarized as follows. Ezra 1 preserves a genuine edict of Cyrus, which had the same formula and the same modes of promulgation, by herald and through poster, as the Roman *edictum*. Cyrus' edict may be rendered as follows. "Thus says Cyrus king of Persia. All the kingdoms of the earth has YHWH, the God of heaven, given me, and He commanded me to build Him a house in Jerusalem, which is in Judah. Who is there among you of all His people? May his God be with him and let him go up to Jerusalem, which is in Judah, and build the house of YHWH, the God of Israel, which is God in Jerusalem. And all who remain, in any place where he sojourns, have to help him, the men of his place, with silver and with gold, and with goods, and with riding-beasts, beside the freewill-offering for the house of God which is in Jerusalem."



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The Edict of Cyrus in Ezra 1

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